

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In the Matter of the Application of C.B. on  
Behalf of Z.G., her minor child

**NOTICE OF MOTION**

07 Civ. 3419 (AKH)

Plaintiffs,

-against-

DEPARTMENT OF EDUCATION OF THE  
CITY OF NEW YORK,

Defendant.

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**PLEASE TAKE NOTICE**, that upon the accompanying Plaintiffs' Statement of Material Facts Not In Dispute, dated September 20, 2007, the Plaintiff, C.B. on Behalf of Z.G. , will move this Court, before the Honorable Alvin K. Hellerstein, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York 10007, on the 14<sup>th</sup> day of November, 2007, at 9:30 A.M., or as soon thereafter as counsel may be heard, for an order pursuant to Fed. R. Civ. P. 56 awarding plaintiff summary judgment in its favor, together with such other and further relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that opposition papers, if any, are to be served by October 26, 2007.

Dated: New York, New York  
September 20, 2007

Respectfully submitted,

s/Neal H. Rosenberg, Esq.

NEAL H. ROSENBERG (NHR 7827)  
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To: MICHAEL A. CARDOZO  
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By: ANDREW RAUCHBERG  
Assistant Corporation Counsel

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Notice of Motion** was served via EC Filing system to Michael A. Cardozo, Corporation Counsel of the City of New York, Attorney for the Plaintiff, 100 Church Street, Room 2-121, New York, New York 10007, by Andrew J. Rauchberg (AR 2179), Assistant Corporation Counsel.

s/Stewart L. Karlin